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OFFICE OF PETITIONS
DECISION ON

In re Application of
Hangody et al.
Application No.: 10/087,999
Filing Date: March 5, 2002
Docket No.: 00167-367002
For: Cartilage Grafting

PETITION UNDER

37 CFR 1.137(b)

This is a decision on Petition Under 37 CFR 1.137(b), filed on August 3, 2006.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to file a timely and proper reply to the final Office action mailed January 20, 2006, which set a shortened statutory period for reply of three (3) months. The application went abandoned at midnight on July 20, 2006. No Notice of Abandonment was mailed.

Petitioner has met the requirements for revival under §1.137(b). Petitioner submitted the required reply in the form of a Request for Continued Examination (and fee), paid the petition fee, and made the statement that "the entire period of delay was unintentional." This is being construed as a statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional." Petitioner must notify the Patent and Trademark Office if such an interpretation of the statement in the petition is not correct. Thus, the statement in the petition is being accepted in satisfaction of 37 CFR 1.137(b)(3).

This application is being referred to Technology Center 3733 for continued processing.

George Dombroske
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on behalf of
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